

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PLUMBERS & STEAMFITTERS LOCAL	:	
773 PENSION FUND, BOSTON	:	
RETIREMENT SYSTEM, TEAMSTERS	:	
LOCAL 237 ADDITIONAL SECURITY	:	
BENEFIT FUND AND TEAMSTERS	:	
LOCAL 237 SUPPLEMENTAL FUND FOR	:	
HOUSING AUTHORITY EMPLOYEES,	:	
Individually and on Behalf of All Others	:	
Similarly Situated,	:	
	:	Civil Action No. 1:19-cv-00235-VEC
Plaintiffs,	:	
	:	
vs.	:	
	:	
DANSKE BANK A/S, THOMAS F.	:	
BORGEN, HENRIK RAMLAU-HANSEN,	:	
JACOB AARUP-ANDERSEN and OLE	:	
ANDERSEN,	:	
	:	
Defendants.	:	
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STIPULATION AND [PROPOSED] ORDER  
REGARDING THE DEATH OF OLE ANDERSON

WHEREAS, Mr. Ole Anderson (“Anderson”) is a Defendant in this action and passed away on June 2, 2020;

WHEREAS, on June 30, 2020, counsel for Mr. Anderson, in this action, filed a letter with the Court noting the date on which Mr. Anderson passed away (the “Notice”), ECF No. 86;

WHEREAS, on July 8, 2020, undersigned Lead Counsel notified counsel for Mr. Anderson of Lead Counsel’s position that the Notice was not legally sufficient to initiate the time period in which substitution must be made pursuant to Federal Rule of Civil Procedure 25(a), because it did not specify who should be substituted for Mr. Anderson (*e.g.*, the representative of his estate); and

WHEREAS, counsel for Mr. Anderson is making inquiry into who an appropriate substitution for Mr. Anderson would be based on the law of Denmark, where Mr. Anderson lived at the time he passed away.

IT IS HEREBY STIPULATED AND AGREED, as follows:

1. The previously filed Notice did not initiate the time period in which substitution of Mr. Anderson may be required by Federal Rule of Civil Procedure 25(a);
2. Counsel for Mr. Anderson shall continue making inquiry into who is an appropriate substitute for Mr. Anderson and shall promptly file a notice regarding Mr. Anderson’s passing upon determining who is an appropriate substitute for Mr. Anderson. If Counsel for Mr. Anderson is unable to file such notice in 60 days, they shall apprise Lead Counsel of the status of their efforts.
3. This stipulation shall be without prejudice to any anyone’s rights, other than waiving the argument that the previously filed Notice initiated the time period in which substitution is required.

DATED: August 11, 2020

By: /s/ Ada Fernandez Johnson

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*Attorneys for Ole Andersen*

\* (With consent to sign pursuant to  
S.D.N.Y. Electronic Case Filing Rules &  
Instructions (Feb. 1, 2019) Rule 8.5(b))

By: /s/ David A. Rosenfeld

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\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE VALERIE E. CAPRONI  
UNITED STATES DISTRICT JUDGE